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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,404	06/29/2000	Masajiro Fukunaga	072982/0202	7055

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FOLEY AND LARDNER
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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,404

Applicant(s)

FUKUNAGA ET AL.

Examiner

Hussein A El-chanti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to amendment received on Nov. 6, 2003. Claims 1-18 are pending examination. Claims 19-24 were newly added.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6, 10 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terao, U.S. Patent No. 6,256,402 In view of Garrison, U.S. Patent No. 6,385,730.

As per claims 1 and 10, Terao teaches a personal identification system and method for an information processing system having common resources which can be accessed by each of the local computers comprising:

a personal verification system as common equipment for the local computers including a database means for storing passwords of each authorized user and physical characteristics data corresponding to each password (see col. 1 lines 46-61) wherein:

the local computer is provided with a physical characteristics scanning/sending means for scanning physical characteristics of a user when the user made a request to the local computer for the use of the common resources of the

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remote computer, generating characteristics data based on the scanned physical characteristics of the user, and sending the characteristics data to the personal verification system (see col. 1 lines 52-61), and

the personal verification system which received the characteristics data from the physical characteristics scanning/sending means of the local computer searches the database means for a password using the received characteristics data as a key and sends the searched password to the local computer (see col. 1 lines 52-61);

Terao does not explicitly teach the claimed limitation "sends the received password to the remote computer for user specification". However Garrison teaches a network security management system where a where a local computer sends a username and password to a remotely located server for user identification (see col. 2 lines 35-45).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Terao by incorporating the step of sending the password to a remote computer because doing so would allow the user to access remote servers using a physical characteristics and therefore overcoming the need to remember a user password every time a user wishes to access the selected remote server.

As per claims 2, Garrison further teaches a personal identification system as in claims 1 and 10, wherein the remote computer includes a user personal identification means for executing personal identification of the user by use of the password which is sent from the local computer (see col. 2 lines 35-45).

As per claims 3, Garrison also teaches a personal identification system as claimed in claims 1, wherein the local computers, the remote computer and the personal verification system are connected together by a communication network (see fig. 1 and fig. 10 and corresponding illustrations).

As per claims 6 and 15, Terao teaches a personal identification system as claimed in claims 1, wherein a fingerprint of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see abstract lines 3-8).

As to claim 19, Garrison teaches the remote computer determines whether or not a user of the local computer is permitted or denied access to data stored at the remote computer (see col. 2 lines 35-45)..

As to claim 20, Garrison teaches the remote computer makes the sole determination based on the received password as to whether or not to grant the user access to the common resources (see col. 2 lines 35-45)..

3. Claims 4, 5, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terao in view of Garrison and further in view of Clark, U.S. Patent No. 6,445,777.

As per claims 4 and 13, the combined system Terao and Garrison do not teach a personal identification system as claimed in claims 1 wherein the communication network is an Ethernet LAN.

However, Clark teaches a communications system wherein the communication network is an Ethernet LAN (see col. 4 lines 8-17).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Terao in view of the communications network as in Clark to connect the remote computer to the local computers using the Ethernet LAN. One would be motivated to include the Ethernet LAN in the combined system of Terao and Garrison because Ethernet LAN's bandwidth is about 10 Mbit/s. and its transfer rate with TCP/IP is typically 30 kilobyte per second that would provide the user with relatively high speed network connection.

As per claims 5, Clark also teaches a communications system wherein the communication network is a wireless LAN (see abstract).

4. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terao in view of Garrison and further in view of Kigo et al, U.S. Patent No. 6,445,777 (referred to hereafter as Kigo).

As per claims 7, Terao and Garrison do not teach a personal identification system as claimed in claims 1 and 10 wherein an iris pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user.

However Kigo teaches an identification system where an iris pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Terao in view of the physical characteristics of the user as in Kigo to include different kinds of physical input characteristics such as iris pattern, retina

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pattern or voiceprint. One would be motivated to include the iris pattern scanning in the combined system of Terao and Garrison because doing so would distinctly identify users and prevent any unauthorized user from accessing the computer since two users cannot have the same iris pattern and thus creating a safe network environment that can only be accessed by users whose physical properties are identified by the computer.

As per claims 8, Kigo teaches a retina pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34)

As per claims 9, Kigo also teaches a voiceprint of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34).

5. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Terao in view of Garrison and further in view of Itsumi et al, U.S. Patent No. 5,887,140 (referred to hereafter as Itsumi).

Terao and Garrison do not explicitly teach the claimed limitation "personal identification system is disposed remotely from the local computers and remotely from the remote computer".

However Itsumi teaches an identification system where the characteristic measuring unit is remotely disposed from the local computers and remotely from the remote computer (see col. 1 lines 63-col. 2 lines 7).

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It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Terao by implementing the measuring unit to be remotely located from the local computer as taught by Itsumi because doing so would allow the clients to implement the characteristic reader in a workplace such as a store where personal passwords would not be displayed on a screen of a local ad therefore limiting the password from being exposed to other people than the user.

6. Claims 11-18 and 22-24 do not add or define any additional limitations over claims 1-10 and 19-21 and therefore are rejected for similar reasons.

7. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection.

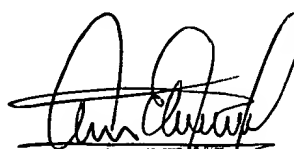
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Hussein El-chanti

Jan. 21, 2004


ARIO ETIENNE
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